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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,242	09/23/2005	Naoji Yamaoka	CSP-120-A	1871
21828	7590	07/10/2008	EXAMINER	
CARRIER BLACKMAN AND ASSOCIATES			KERNs, KEVIN P	
24101 NOVI ROAD			ART UNIT	PAPER NUMBER
SUITE 100				1793
NOVI, MI 48375				
			NOTIFICATION DATE	DELIVERY MODE
			07/10/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

cbalaw@gmail.com  
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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/550,242	YAMAOKA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kevin P. Kerns	1793	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 02 June 2008.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,5,8 and 18-35 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 1,5,8,18-24 and 32-35 is/are allowed.  
 6) Claim(s) 25 and 26 is/are rejected.  
 7) Claim(s) 27-31 and 35 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 23 September 2005 and 02 June 2008 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 35 is objected to because of the following informalities: in the 1<sup>st</sup> line, change the claim dependency from “35” to “34”. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Stimmel et al. (WO 00/71292).

WO 00/71292 discloses a positioning jig device for holding workpieces, including vehicle body frames, in which the positioning jig device includes a positioning jig (workpiece holder 6) that positions the workpiece 8; a multi-axis articulating positioning robot 2 that holds a first end of the positioning jig (workpiece holder 6), with the positioning jig 6 being supplied to a working position for the workpiece 8, such that the workpiece 8 is positionable to a desired orientation; a positioning jig holder mechanism (locating device 9 with a stand 10 in combination with engaging member assembly (11,12,13)) that holds a second end of the positioning jig 6, such that the engaging member assembly (11,12,13) forms a joint that is selectively disengaged on and operably connected to the second end with respect to the desired orientation of the

workpiece 8 set by the positioning robot 2, in which the workpiece 8 is precisely positioned and fixed by the positioning jig 6 (abstract; page 5, line 16 through page 10, line 12 of German document; and Figures 1 and 2).

***Allowable Subject Matter***

4. Claims 1, 5, 8, 18-24, and 32-35 are allowed. [Note: claim 35 is objected to]
  
5. Claims 27-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

6. The examiner acknowledges the applicants' amendment and replacement drawing sheet received by the USPTO on June 2, 2008. The drawing sheet overcomes the prior drawing objections. The amendments overcome the prior claim 1 objection, but an objection to new claim 35 has been raised (see section 1). The applicants' remarks/arguments overcome the prior 35 USC 103(a) rejections. Allowable subject matter is presented in above sections 4 and 5. The applicants have added new claims 18-35. Claims 1, 3, 8, and 18-35 are currently under consideration in the application.

7. Applicants' arguments with respect to the remaining rejected claims 25 and 26 have been considered but are moot in view of the new ground(s) of rejection.

With regard to the applicants' remarks/arguments on pages 9-13 of the amendment (in particular to an argument that would apply to rejected claims 25 and 26 in the paragraph bridging pages 10 and 11 of the remarks section), the applicants state in addressing WO 00/71292 that "member 11 merely provides a centering support for the opposite end of the workpiece (holder) that is not engaged by the automated (robot) mechanism" and "member 11 is not an engaging but merely a supporting member". The examiner respectfully disagrees, as a "supporting" member is necessarily an "engaging" member. As shown in Figure 1 of WO 00/71292, member 11 clearly "engages" member 13 to form a joint, and thus meets the claim 25 limitation "operably connected to a second end of said positioning jig".

### ***Conclusion***

8. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Kevin P. Kerns whose telephone number is (571)272-1178. The examiner can normally be reached on Monday-Friday from 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Ward can be reached on (571) 272-1223. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin P. Kerns  
Primary Examiner  
Art Unit 1793

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July 2, 2008